



# HAMMOND BROADCASTING, INC.

*"All To The Glory Of God" 1 Cor. 10:31*

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

Revision of Procedures Governing	)	MB Docket 05-210
Amendments to FM Table of Allotments	)	RM-10960
And Changes of Community of License	)	
In the Radio Broadcast Services	)	

TO: The Chief, Audio Division, Mass Media Bureau

## COMMENTS OF HAMMOND BROADCASTING, INC.

Hammond Broadcasting, Inc. ("Hammond") herewith submits its comments regarding the Proposed Rulemaking changes. Hammond supports the current process with modifications. However, Hammond urges that the Commission give serious consideration to the potentially serious impact any proposed change to an existing operation in the Table of Allotments might have on the intermodulation interference to FAA localizer frequencies (FAA Airspace EMI) and the potentially serious economic impact on the survivability of small stations.

The FAA Airspace EMI issue is a real world matter. Hammond faces it in a pending rulemaking in which Hammond has been ordered to show cause why the license for its WIOK(FM) at Falmouth, Kentucky, should not be changed. Hammond has shown that the channel change would cause serious interference to an FAA localizer frequency at Cincinnati/Northern Kentucky International Airport. See Comments of Hammond Broadcasting, Inc., in MB Docket 05-248. Thus, any channel change to an existing operation in a

*"Serving Northern, Central, & Southern Kentucky • Southwest Ohio • Southeast Indiana"*

WIOK  
P.O. Box 50

WIDS  
P.O. Box 597

WYGH  
2001 Main Street

rulemaking process could expose it to requirements imposed by the FAA which could hamper or severely constrain a station's ability to transmit with full or equivalent facilities.

With respect to the economic impact of channel changes, an existing station makes every attempt to create a presence and identify with its market. This requires advertising in many forms all which usually identify the channel which become worthless if its channel is changed.

We respectfully request that the Commission seriously consider changing the "Rule" to require that when any Broadcaster makes a proposal to the Commission to make a change in the current Table of Allotments which involves an existing station, said broadcaster would be required to include in the "Proposal" documentation showing the following:

- Compliance with FAA EMI requirements – a health and safety issue;
- Reimbursement for all costs to the impacted station including all advertising and promotional materials, as well as for technical changes;
- Documentation that the proponent has secured the written agreement of all parties affected by the proposed change in the Table of Allotments.

The following statement in Exhibit A supports these suggestions:

**EXHIBIT A:**

**Statement by Gilbert Hammond, President of Hammond Broadcasting, Inc.**

Allow me to use our three stations as an example of the financial hardship imposed by another station submitting a proposal that would force us to unwillingly change to another frequency for WIOK – 107.5 FM. As President and 50 percent owner of Hammond Broadcasting, Inc., I am in a unique position to assess the financial devastation posed by this possibility. WIOK broadcasts a combination of gospel music and quality Christian teaching programs 24 hours a day, seven days a week. The station is unique in its location because its signal extends into the Cincinnati,

Ohio and Lexington, Kentucky metro areas. WIOK is the only Christian radio station that serves audiences in both the Cincinnati and Lexington markets. It is Falmouth's only radio station.

1. We identify ourselves to the public as "107.5 Tri-State Gospel." We do not promote the call letters "WIOK" extensively because that does not tell a potential listener where the station can be found on the FM dial.

2. We have worked hard to establish our identity at 107.5 FM. More than 30,000 bumper stickers have been printed that zero in on 107.5 FM. Almost 28,000 of them have been distributed throughout our listening area. We have had 2,000 ball caps; 5,000 T-Shirts; 50,000 flyers; 10,000 sheets of stationery; 10,000 calling cards; and 1,000 sets of sales material prepared to get the "107.5 Tri-State Gospel" name out to the public. In addition, we have had billboards, signs, 10,000 pens, 10,000 key chains, booklets, and an assortment of other promotional materials prepared for distribution. This is not an exhaustive list, but is simply illustrative of what we have done to establish "107.5 FM" in the collective mind of our various publics.

3. We recognize that Commission policy and precedent have long established that whenever an existing licensee is ordered to change frequencies to accommodate a new or modified channel allotment, Commission policy requires the benefiting party to reimburse the affected station for costs incurred. However, this in no way compensates us for the considerable expenses we have incurred in building recognition of our "107.5 Tri-State Gospel" broadcast service. In such an instance, all of our work in building a name for our Christian radio service at 107.5 would be for naught. The time, effort, and money we have spent on identifying ourselves as "107.5 Tri-State Gospel" will have been completely wasted. Although we broadcast on commercial radio stations, we operate on an essentially non-profit basis, and we struggle to get the funds needed to continue operation to proclaim the Good News of the Gospel.

4. Through a second station we own, WYGH-AM in Paris, Kentucky, we broadcast more than nine hours of programming daily to a significant Hispanic population in the Central Kentucky/Lexington area. We concentrate on supplying information to the Hispanic community out of a demonstrated need for this broadcast outreach. The burden of changing channels, regardless of reimbursement, and the resulting disruption of an established flow of funds, will jeopardize our ability to continue the service to the Spanish-speaking community in the Central Kentucky area. Any forced channel change for WIOK, 107.5 Tri-State Gospel, would disrupt and reduce funds to such a degree that we would be forced to curtail, if not eliminate, this specialized “Spanish” programming on WYGH-AM. The risk of the loss of such specialized programming does not serve the public interest.

In conclusion, I respectfully request the Commission to give serious consideration to adopting the three suggestions I offered on page two of this memo. Namely, that the “Rule” be changed to require that when any Broadcaster makes a proposal to the Commission to make a change in the current Table of Allotments which involves an existing station, said broadcaster would be required to include in his proposal documentation showing the following:

- Compliance with FAA EMI requirements – a health and safety issue;
- Reimbursement for all costs to the impacted station including all advertising and promotional materials, as well as for technical changes;
- Documentation that the proponent has secured the written agreement of all parties affected by the proposed change in the Table of Allotments.

Sincerely,

A handwritten signature in blue ink that reads "Gilbert Hammond". The signature is written in a cursive, flowing style.

**Gilbert Hammond, President  
Hammond Broadcasting, Inc.**